

**IN THE CLAIMS**

1. (currently amended) A refrigerator comprising:

a refrigeration compartment;

a freezer compartment adjacent said refrigeration compartment; ~~and~~

a dividing wall defining a third compartment adjacent said freezer compartment and separated from said ~~refrigeration compartment~~ and freezer compartment by [[a]] said dividing wall comprising a duct extending through said dividing wall, said third compartment controllable in both a refrigeration mode and a freezer mode; and

a duct extending through said dividing wall from a top surface of said dividing wall to a bottom surface of said dividing wall and delivering air from said freezer compartment to said third compartment, and wherein said duct is open to said freezer compartment at one of said top and bottom surfaces.

2. (previously presented) The refrigerator according to Claim 1 wherein said duct providing flow communication between said freezer and third compartments, said duct having a damper disposed therein for opening and closing said duct, said duct having a duct fan disposed therein for selectively controlling flow communication from said freezer compartment to said third compartment.

3. (previously presented) The refrigerator according to Claim 1 wherein said freezer compartment includes an evaporator and an evaporator fan for circulating air within said freezer compartment.

4. (previously presented) The refrigerator according to Claim 1 wherein said third compartment includes a drawer slidably received within said lower compartment, said drawer providing access to said third compartment.

5. (currently amended) The refrigerator according to Claim [[1]] 2 further comprising a secondary duct providing flow communication from said third compartment to said freezer compartment when said damper is open and said duct fan is on.

6. (currently amended) The refrigerator according to Claim [[1]] 2 wherein said duct has an assembly portion extending into said third compartment.

7. (original) The refrigerator according to Claim 6 wherein said duct fan and said damper are disposed in said assembly portion of said duct.

8. (currently amended) A refrigerator comprising:

an upper compartment including an evaporator and a fan therein, said evaporator and said fan enclosed by an evaporator cover having an inlet and an outlet;

a dividing wall defining a lower compartment separated from said upper compartment by [[a]] said dividing wall;

a duct extending through said dividing wall from a top surface of said dividing wall to a bottom surface of said dividing wall and delivering air from said upper compartment to said lower compartment, and wherein said duct is open to said upper compartment at said top surface, ~~said duct providing flow communication between said upper and lower compartments~~[[,]] said duct having a damper disposed therein for opening and closing said duct, said duct having a duct fan disposed therein; and

a supply conduit having a first end and a second end, said first end coupled to said evaporator cover, and said second end coupled to said duct such that said supply conduit provides flow communication from said evaporator to said duct.

9. (original) The refrigerator according to Claim 8 wherein said evaporator fan circulates air into said inlet, through said evaporator, and out said outlet when said damper is closed.

10. (original) The refrigerator according to Claim 8 wherein said first end of said supply conduit is coupled to said evaporator cover between said inlet and said outlet of said evaporator cover.

11. (original) The refrigerator according to Claim 8 further comprising a secondary duct providing flow communication from said lower compartment to said upper compartment when said damper is open and said duct fan is on.

12. (original) The refrigerator according to Claim 8 wherein said duct has an assembly portion extending into said lower compartment, said damper and said duct fan are disposed in said assembly portion.

13. (original) The refrigerator according to Claim 8 wherein said lower compartment includes a drawer slidably received within said lower compartment, said drawer providing access to said lower compartment.

14. (original) The refrigerator according to Claim 8 wherein said supply conduit provides partially evaporated air from said evaporator to said lower compartment through said duct when said damper is open and said duct fan is energized.

15. (currently amended) A refrigerator compartment comprising:

an upper compartment including an evaporator and a fan therein, said evaporator and fan enclosed by an evaporator cover having an inlet and an outlet;

a dividing wall defining a lower compartment separated from said upper compartment by ~~[[a]]~~ said dividing wall, said dividing wall having a top surface and a bottom surface;

a first duct extending through said dividing wall providing an opening from said top surface to said bottom surface, said first duct is proximate to said evaporator;

a second duct extending through said dividing wall providing an opening from said top surface to said bottom surface and delivering air from said upper compartment to said lower compartment, said second duct being open to said upper compartment at said top surface;  
and

a gate damper coupled to said top surface of said dividing wall, said gate damper rotatable between an open position and a closed position.

16. (original) The refrigerator according to Claim 15 wherein said first duct provides flow communication from said lower compartment to said inlet of said evaporator when said gate damper is in said open position.

17. (original) The refrigerator according to Claim 15 wherein said second duct provides flow communication from said upper compartment to said lower compartment when said gate damper is in said open position.

18. (original) The refrigerator according to Claim 15 wherein said gate damper is in said open position when said gate damper contacts the evaporator cover.

19. (original) The refrigerator according to Claim 15 wherein said gate damper is in said closed position when said gate damper substantially covers said first duct.

20. (original) The refrigerator according to Claim 15 wherein said lower compartment is substantially sealed off from upper compartment when said gate damper is in the closed position.

21. (original) The refrigerator according to Claim 15 further comprising an evaporator cover vent in said evaporator cover, said evaporator cover vent disposed between said inlet and said outlet of said evaporator cover.

22. (original) The refrigerator according to Claim 21 wherein air enters through said evaporator cover vent when said gate damper is in the closed position.

23. (original) The refrigerator according to Claim 21 wherein air does not enter through said evaporator cover vent when said gate damper is in the open position.